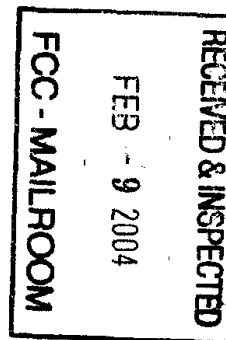




Federal Communications Commission  
Washington, D.C. 20554

February 5, 2004

Charles Crawford  
4553 Bordeaux Avenue  
Dallas, Texas 75205



Dear Mr. Crawford:

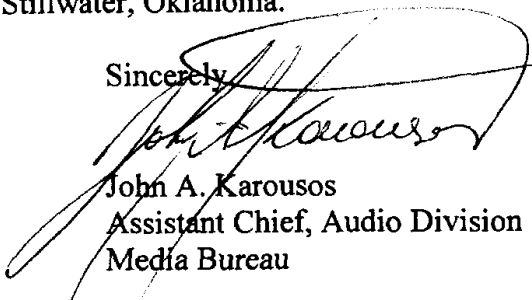
This is in response to a petition for rule making that you filed proposing the allotment of Channel 221A at Pond Creek, Oklahoma. You also request a change at Stillwater, Oklahoma, to accommodate Channel 221A at Pond Creek.

We have reviewed your proposal and find that it is unacceptable for consideration as filed. A staff engineering analysis indicates that Channel 221A can be allotted to Pond Creek, Oklahoma, at your selected site (35-12-52 and 98-20-14) provided a change is made at Stillwater, Oklahoma, as there is a short-spacing between Channel 221A at Pond Creek and Channel 219C at Stillwater. You have requested the reclassification of Non-Commercial Educational Station KOSU from Channel 219C to Channel 219C0 to eliminate the short-spacing in accordance with procedures adopted in MM Docket 98-93. *See 1998 Biennial Regulatory Review - Streamlining of Radio Technical Rules in Parts 73 and 74 of the Commission's Rules*, 15 FCC Rcd 21649 (2000).

We cannot make changes or allotments in the FM reserved band, as those channels are properly requested by application, and there is no exception to this rule for periods during which the Commission has imposed a freeze on the filing of new and major change applications for that band. *See 47 CFR Sections 73.501 and 73.509; see also Second Report and Order in Docket No. 20735, 44 RR2d 235 (1978)* (Commission considered but did not adopt, a table of allotments for the FM non-commercial band, but rather retained its current practice of requiring FM stations in the reserved band to be chosen by applications judged strictly on their own engineering terms, using a contour-based interference standard.) The procedures adopted in MM Docket 98-93 provide for amendments to the FM Table of Allotments but not for the FM non-commercial band.

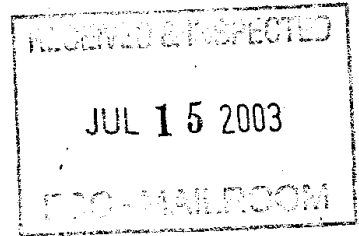
Based on the above discussion, we are returning your petition for Pond Creek, Oklahoma. You may wish to determine if an alternate channel is available for allotment at Pond Creek that is not in conflict with the Channel 219C at Stillwater, Oklahoma.

Sincerely,

  
John A. Karousos  
Assistant Chief, Audio Division  
Media Bureau

Enclosure

Before the  
Federal Communications Commission  
Washington, D.C. 20554



In the Matter of )  
 )  
Amendment of 73.202 (b) ) MB Docket No. \_\_\_\_\_  
Table of Allotments )  
FM Broadcast Stations )  
(Pond Creek, Oklahoma )

To: John Karousos, Assistant Chief  
Audio Division of the  
Media Bureau

PETITION FOR RULE MAKING

Pursuant to 47 C.F.R. 1.401, Charles Crawford respectfully petitions the FCC to institute a Rule Making proceeding to amend the FM Table of Allotments to add Channel 221A at Pond Creek, Oklahoma.

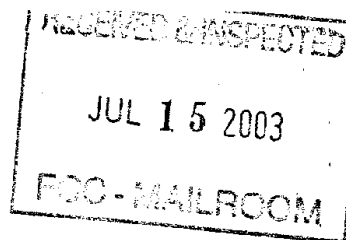
DISCUSSION

Petitioner respectfully submits that the public interest would be served by allocating Channel 221A to Pond Creek as that community's first FM service. Pond Creek is an incorporated community with its own zip code and a population of 896 persons.<sup>1</sup> Pond Creek has its own Mayor, Jayme Wollison, its own school system, its own volunteer fire department, police department, post office, city offices and a number of local churches. Pond Creek is a community that is certainly deserving of an FM service. The proposed channel 221A will provide additional diversity and an outlet for local self-expression to Pond Creek residents and therefore is in the public interest.

In order for Channel 221A to be allotted at Pond Creek, Oklahoma, station KOSU Channel 219C in Stillwater, Oklahoma will need to be reclassified to a C0. Pursuant to MM Docket 98-93, I am making a formal request for station OSU in Stillwater to be reclassified from a C to a C0. (See, Attachment A, Request to Reclassify statement)

---

<sup>1</sup> 2000 Census



Attached hereto is a channel study confirming that Channel 221A can be allocated to Pond Creek, Oklahoma consistent with the FCC's FM separation rules, provided 219C in Stillwater is reclassified to a C0. See revision of FM Assignment Policies and Procedures, 90 FCC 2d 88 (1992). (See, Attachment B)

36-06-31  
97-11-46

Reference coordinates for Channel 221A at Pond Creek are:

36 36 20 N  
97 55 31 W

Should this petition be granted and Channel 221A is allotted to Pond Creek, Oklahoma, Petitioner will apply for Channel 221A at Pond Creek and after it is authorized, will promptly construct the new facility.

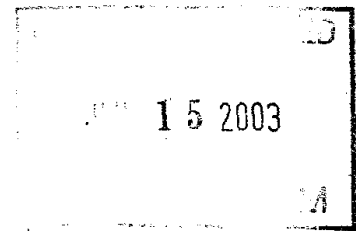
The factual information provided in this Petition for Rule Making is correct and true to the best of my knowledge.

Respectfully submitted,

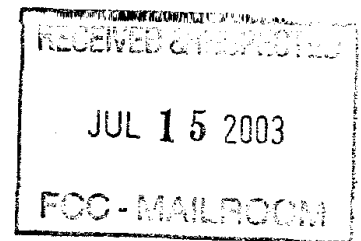
Charles Crawford  
4553 Bordeaux Ave.  
Dallas, Texas 75205  
(214) 520-7077 Tele  
(214) 443-9308 Fax

cc: Gene A. Bechtel, Law Office of Gene Bechtel, Suite 600, 1050 17<sup>th</sup> Street, N.W., Washington, D.C. 20036, telephone (202) 496-1289, telecopier (301) 762-0156, attorney for Charles Crawford. It is requested that the Commission and any parties who may file pleadings in the captioned matter serve copies to Mr. Bechtel as well as Charles Crawford.

July 7, 2003



**Attachment A**



Charles Crawford  
4553 Bordeaux Ave.  
Dallas, Texas 75205


Petition for Rule Making  
FM Channel 221A  
Pond Creek, Oklahoma  
July 7, 2003

**Attachment A**

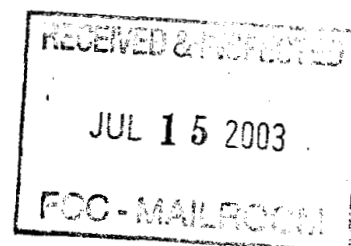
Request to Reclassify  
Station KOSU(FM), Stillwater, Oklahoma  
Pursuant to MM Docket 98-93

Radio Station KOSU(FM), Stillwater, Oklahoma is licensed to Oklahoma State University, RM 302 Paul Miller Building, Stillwater, Oklahoma 74078. (Facility ID 50220), FCC File No. BLED 19910226KA. The facility operates with a power of 100 kilowatts with center of radiation 310 meters height above average terrain. The above captioned Docket 98-93 provides the mechanism to automatically downgrade a Class C facility to Class C0 when a demand is made for the spectrum, as is the case here. Charles Crawford respectfully requests that the license of Radio Station KOSU(FM) be modified to specify operation on FM Channel 219C0 instead of on FM Channel 219C in accordance with the above Docket which provides for such downgrades when a demand for the unused spectrum is made, as is the case here.

Charles Crawford, the proponent of Channel 221A/ Pond Creek, Oklahoma, in accordance with the above Docket, formally requests that the Commission reclassify Radio Station KOSU(FM) as a Class C0 facility. Charles Crawford certifies that no alternative channel is available for the service he proposes at Pond Creek as is proposed in the Petition for Rule Making. A copy of this Petition for Rule Making is being served on Oklahoma State University, as is required in the above Docket.

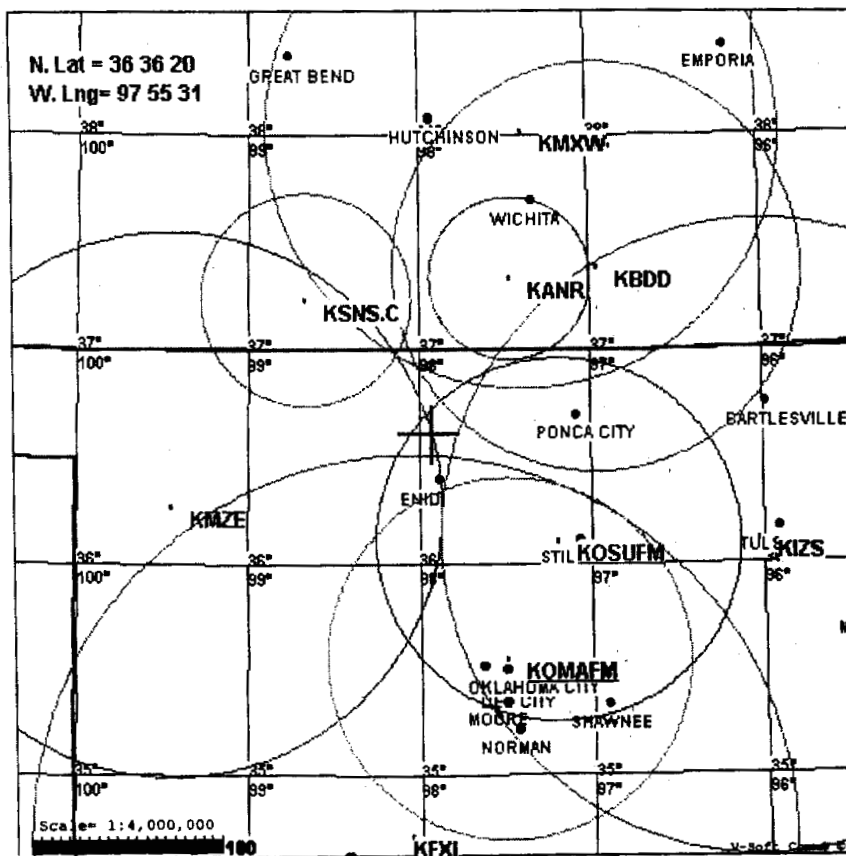
  
Charles Crawford

**Attachment B**



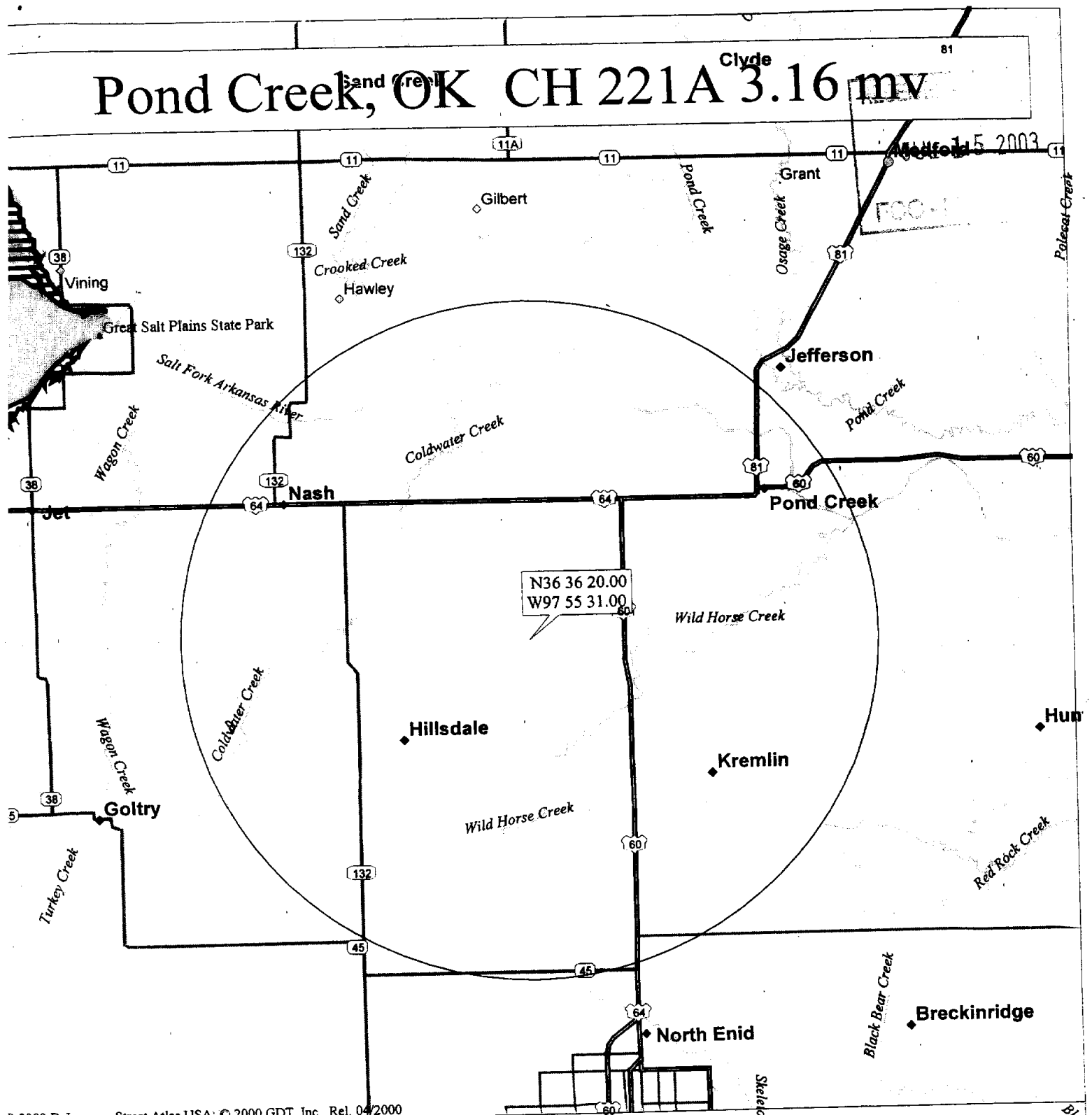
FM PROSP<sup>(TM)</sup> LOCATE STUDY CH 221 A 92.1 MHz  
Study

RECEIVED  
JUL 15 2003  
FCC-MIDWEST



Call	CH#	Type	Location		D-KM	Azi	FCC	Margin
KOSUFM	219C*	LIC-D	Stillwater	OK	85.58	130.0	95.0	-9.42
KMZE	221C3	LIC	Woodward	OK	141.65	255.1	142.0	-0.35
KFXI	221C1	LIC	Marlow	OK	210.65	183.1	200.0	10.65
KIZS	221C2	LIC	Broken Arrow	OK	178.55	107.4	166.0	12.55
KBDD	220C2	LIC-D	Winfiled	KS	121.99	44.6	106.0	15.99
KOMAFM	223C*	LIC	Oklahoma City	OK	123.71	161.5	95.0	28.71
KMXW	222C1	LIC	Newton	KS	164.07	16.8	133.0	31.07
KSNS.C	218C2	CP	Medicine Lodge	KS	95.97	316.9	55.0	40.97
KSNS	218C2	LIC	Medicine Lodge	KS	95.97	316.9	55.0	40.97
KANR	224C3	LIC	Belle Plaine	KS	90.80	26.6	42.0	48.80

# Pond Creek, OK CH 221A 3.16 mv



© 2000 DeLorme. Street Atlas USA: © 2000 GDT, Inc., Rel. 04/2000

Mag 11.00

Fri Jun 27 14:38 2003

Scale 1:250,000 (at center)

5 Miles

5 KM

- |  |                  |  |                    |
|--|------------------|--|--------------------|
|  | US Highway       |  | Water              |
|  | Major Connector  |  | River/Canal        |
|  | State Route      |  | Intermittent River |
|  | County Seat      |  | Intermittent Lake  |
|  | Small Town       |  | Inundated Area     |
|  | Park/Reservation |  |                    |
|  | Locale           |  |                    |
|  | Land             |  |                    |



**CERTIFICATE OF SERVICE**

I, Charles Crawford, hereby certify that on this 7<sup>th</sup> day of July, 2003, I caused copies of the foregoing "Petition for Rule making for Pond Creek, Oklahoma" to be placed in the U.S. Postal Service, first class postage prepaid, addressed to the following persons:

Ms. Marlene Dortch  
Office of the Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W.  
12<sup>th</sup> Street Lobby-TW-A325  
Washington, D.C. 20554

Gene Bechtel, Esq.  
Law Offices of Gene Bechtel, P.C.  
1050 17<sup>th</sup> Street, N.W., Suite 600  
Washington, D.C. 20036-5517  
(Counsel for Petitioner)

Oklahoma State University  
Station KOSU  
RM 302 Paul Miller Building  
Stillwater, OK 74078

A handwritten signature in black ink, appearing to be 'Charles Crawford', written over a horizontal line.

Charles Crawford